

REMARKS

Very thanks for Examination's suggestion and thanks for finding some citations about the present invention, thereby, the applicant may know more information about the invention. This case has been carefully reviewed and analyzed in view of the office action. All details of the reference prior arts are fully considered and compared with the present invention.

ABOUT CLAIM REJECTION OF 35USC103

Indeed the citations disclose some features of the present invention, and the applicant agrees with these viewpoints, however applicant discovers that some main features of the present invention are not disclosed in the citation which can form the novelty and inventive step of the present invention.

To illustrate the novelty of the present invention and overcome the objection from the citations, the applicant decides to cancel cancel Claims 1 to 6, without prejudice or disclaimer of the subject matter thereof, and add new claims 7 to 8. The claims 7 and 8 are the copies of the DETAIL DESCRIPTION OF THE PREFERRED EMBODIMENT. The relation of the new claims with respect to the original claims are shown in the following.

Claims with numerals used in the discussion about the novelty of the present invention

Claim 7. (New) A serving tray with function of keeping food fresh, comprising:

a rotary tray 1 having a plurality of compartments 10 disposed in an interior of the rotary tray 1, a supporting edge 11 disposed on an inner wall of a periphery thereof along upper ends of the compartments 10, a through hole 12 disposed in a center thereof,

a supporting seat 13 disposed around an exterior of the through hole 12 and connected with the compartments 10, a plurality of partitions 14 disposed therein for dividing the interior of the rotary tray 1 into the compartments 10, and a plurality of hooking members 15 disposed on an external surface of a bottom thereof; the through hole 12 having a supporting flange 120 protruded inwardly from an upper end of an inner wall thereof;

a plurality of receiving pans 2 capable of being located above the compartments 10 of the rotary tray 1 for being placed with various food items 51; the receiving pans 2 being just rested on the supporting edge 11 and the supporting seat 13 of the rotary tray 1 at peripheral rims of bottoms thereof so that separate hollow spaces are formed between the compartments 10 of the rotary tray 1 and external surfaces of the bottoms of the receiving pans 2; each of the receiving pans 2 having a plurality of perforated holes 20 arranged on the bottom thereof.

a condiment vessel 3 is capable of being located on the supporting flange 120 of the through hole 12 of the rotary tray 1;

a base plate 4 disposed below the rotary tray 1 and capable of being hooked by the plurality of hook members 15 of the rotary tray 1; the base plate 4 having an annular groove 40 disposed thereon, a plurality of balls 41 accommodated in the annular groove 40 and a plurality of plastic positioning pads 42 disposed thereon; each of the plurality of balls 41 having a top protruded out of the annular groove 40 and contacted with the external surface of the bottom of the rotary tray 1;

wherein the rotary tray 1 is rotatable through 360 degrees by the hooking of the plurality of hook members 15 of the rotary tray 1 to the base plate 4 and by the contacting of the tops of the plurality

of balls 41 with the external surface of the bottom of the rotary tray 1.

Claim 8. (New) The serving tray with function of keeping food fresh as claimed in claim 1, further comprising:

an outdoor table 6; the serving tray of the invention located on an outdoor table 6 with a shank 600 of an umbrella 60 that is erected on the outdoor table 6 passed through the through hole 12 of the rotary tray 1.

(A) DISCUSSION ABOUT THE NOVELTY OF THE PRESENT INVENTION

There are four citations are cited in the office action, which are USP4,953,696, USP6,378,325, USP2005/0005631, USP,854,608. However as we check these citations with the new claims 7 and 8 of the present invention, we can still find the following features cannot be found in any of the citation.

(1) In the new claim 7:

~~the base plate 4 having an annular groove 40 disposed thereon, a plurality of balls 41 accommodated in the annular groove 40 and a plurality of plastic positioning pads 42 disposed thereon, each of the plurality of balls 41 having a top protruded out of the annular groove 40 and contacted with the external surface of the bottom of the rotary tray 1.~~

Thus, by above structure, the rotary tray 1 can be rotated at 360° angle by the hooking of the plurality of hook members 15 of the rotary tray 1 to the base plate 4 and by the contacting of the tops of the plurality of balls 41 with the external surface of the bottom of the rotary tray 1. The

user can take different food items 51 from the receiving pans 2 conveniently only by rotating the rotary tray 1 freely.

However no prior art has the similar structure. The citation '631 has a base plate 4 which is used to object the base plate 4 of the present invention, but the citation '631 dose no disclose the structures of balls, annular groove, and positioning pad (as those in the present invention). Threby in the citation, the rotary tray cannot rotate with respect to the base plate, but the present invention can present this function.

Other citation has no similar structure as the feature (1) and the office action dose not cite these citations to object the base plate 4 of the present invention.

(2) Secondly, in the present invention:

~~"an outdoor table 6; the serving tray of the invention located on an outdoor table 6 with a shank 600 of an umbrella 60 that is erected on the outdoor table 6 passed through the through hole 12 of the rotary tray 1."~~

This feature is illustrated in Fig. 3 of the present invention. However in the previous claims 1 to 6, this feature is not claimed and thus it is not objected by the office action. However referring to the citations, no citation has such a feature.

(3) In the new claim 7:

~~"The through hole 12 has a supporting flange 120 protruded inwardly from an upper end of an inner wall thereof." And "The condiment vessel 3 is capable of being located on the supporting flange 120 of the through hole 12 of the rotary tray 1."~~

However the citation has this features.

In the office action, the citation '696 is used to object above features. However as we check the drawing of the citation '696, no flange is protruded from the central through hole.

(B) For the combinations of the citations

From above discussion, it is known that the combination of all the citations cannot have the above mentioned three features. That is:

~~"the base plate 4 having an annular groove 40 disposed thereon, a plurality of balls 41 accommodated in the annular groove 40 and a plurality of plastic positioning pads 42 disposed thereon, each of the plurality of balls 41 having a top protruded out of the annular groove 40 and contacted with the external surface of the bottom of the rotary tray 1."~~

~~"an outdoor table 6, the serving tray of the invention located on an outdoor table 6 with a shank 600 of an umbrella 60 that is erected on the outdoor table 6, passed through the through hole 12 of the rotary tray 1."~~

~~"The through hole 12 has a supporting flange 120 protruded inwardly from an upper end of an inner wall thereof." And "The condiment vessel 3 is capable of being located on the supporting flange 120 of the through hole 12 of the rotary tray 1."~~

The present invention combines many features so as to provide a power device. The above mentioned main features are clearly not disclosed in any of the citations. These features builds the novelty of the present invention over any of the citations.

(C) RESULT

Since in above discussion, it is apparent that no prior art has the features of the present invention, especially in new claim 7. Furthermore, as we know that no other prior art has features of the present invention. Thus, the present invention is novel and inventive.

If there is any error in the specification, or claims, applicant requests and authorizes Examiner to amend the claims, specification and drawings

of the present invention so that they can match the requirement of U. S. Patent. Attentions of Examiner to this matter are greatly appreciated.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted.

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